

07/20/01

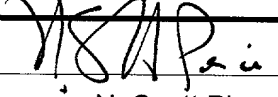
09910131-073001

| | | |
|--|---|-------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>Only for new nonprovisional applications under 37 C.F.R. 1.53(b)</small> | Attorney Docket No. | 0717.1086-011 |
| | First Named Inventor or Application Identifier | Matthew Zavracky |
| | Express Mail Label No. | EL 76 2233 888 US |
| Title of Invention | WIRELESS COMMUNICATION DEVICE HAVING A COLOR SEQUENTIAL DISPLAY | |

| | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|---|---|---|---|--|--|--|---|--|--|--|--|--|--|--|--|--|---|--|--|--|
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231 | | | | | | | | | | | | | | | | | | | | | | |
| <table border="0"><tr><td>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></td><td>6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i></td></tr><tr><td>2. <input checked="" type="checkbox"/> Specification [Total Pages 59] <i>(preferred arrangement set forth below)</i><ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to microfiche Appendix- Background of the Invention- Summary of the Invention- Brief Description of the Drawings- Detailed Description- Claim(s)- Abstract of the Disclosure</td><td>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)<ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy) [] Pagesc. <input type="checkbox"/> Statement verifying identity of above copies</td></tr><tr><td>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 29] <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal <input checked="" type="checkbox"/> Fig. of the Drawings for Publication [1]</td><td></td></tr><tr><td>4. <input checked="" type="checkbox"/> Oath or Declaration/POA [Total Pages 8]<ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> [NOTE Box 5 below]<ul style="list-style-type: none">i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).</td><td></td></tr><tr><td>5. <input checked="" type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</td><td></td></tr></table> | | 1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> | 6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i> | 2. <input checked="" type="checkbox"/> Specification [Total Pages 59] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to microfiche Appendix- Background of the Invention- Summary of the Invention- Brief Description of the Drawings- Detailed Description- Claim(s)- Abstract of the Disclosure | 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy) [] Pagesc. <input type="checkbox"/> Statement verifying identity of above copies | 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 29] <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal <input checked="" type="checkbox"/> Fig. of the Drawings for Publication [1] | | 4. <input checked="" type="checkbox"/> Oath or Declaration/POA [Total Pages 8] <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> [NOTE Box 5 below]<ul style="list-style-type: none">i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). | | 5. <input checked="" type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. | | | | | | | | | | | | | |
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| ACCOMPANYING APPLICATION PARTS | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="0"><tr><td>8. <input type="checkbox"/> Assignment Papers (cover sheet & documents)</td><td></td></tr><tr><td><input checked="" type="checkbox"/> Assignee - Kopin Corporation Taunton, Massachusetts</td><td></td></tr><tr><td>9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></td><td></td></tr><tr><td>10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></td><td></td></tr><tr><td>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</td><td></td></tr><tr><td>12. <input type="checkbox"/> Preliminary Amendment</td><td></td></tr><tr><td>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></td><td></td></tr><tr><td>14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, status still proper and desired</td><td></td></tr><tr><td>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></td><td></td></tr><tr><td>16. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i></td><td></td></tr><tr><td>17. <input checked="" type="checkbox"/> Other: REMARKS w/ copy</td><td></td></tr></table> | | 8. <input type="checkbox"/> Assignment Papers (cover sheet & documents) | | <input checked="" type="checkbox"/> Assignee - Kopin Corporation Taunton, Massachusetts | | 9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> | | 10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> | | 11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations | | 12. <input type="checkbox"/> Preliminary Amendment | | 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> | | 14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, status still proper and desired | | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> | | 16. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i> | | 17. <input checked="" type="checkbox"/> Other: REMARKS w/ copy | |
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| 17. <input checked="" type="checkbox"/> Other: REMARKS w/ copy | | | | | | | | | | | | | | | | | | | | | | | |

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| 18. If a CONTINUING APPLICATION , check appropriate box and supply the requisite information: |
| <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 08/855,344 |
| Prior application information: Examiner: F. Nguyen Group Art Unit: 2674 |

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|-----------------------------------|---|-----------|----------------|----------|----------------|
| 19. CORRESPONDENCE ADDRESS | | | | | |
| NAME | N. Scott Pierce | | | | |
| ADDRESS | HAMILTON, BROOK, SMITH & REYNOLDS, P.C. | | | | |
| CITY | Lexington | STATE | MA | ZIP CODE | 02421-4799 |
| COUNTRY | USA | TELEPHONE | (781) 861-6240 | FAX | (781) 861-9540 |

| | | | |
|---------------------------------------|---|-------------|---------|
| Signature |  | Date | 7/20/01 |
| Submitted by Typed or Printed Name | N. Scott Pierce | Reg. Number | 34,900 |

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

| | | |
|--|------------------------|------------------|
| FEE TRANSMITTAL FOR PATENT APPLICATIONS | Attorney Docket Number | 0717.1086-011 |
| | Application Number | |
| | First Named Inventor | Matthew Zavracky |

CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|--|------------------|------------------|---|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 46 - 20* = | 26 | x \$ 18 = | \$ 468 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 4 - 3** = | 1 | x \$ 80 = | \$ 80 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 270 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$ 710 |
| | | | | Total of above Calculations = | \$ 1258 |
| | | | | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | \$ |
| | | | | TOTAL = | \$ 1258 |
| | | | | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | \$ |
| | | | | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | \$ |
| | | | | Assignment Recordation Fee = (only when filed with application) | \$ |
| | | | | TOTAL = | \$ 1258 |

* Reissue claims in excess of 20 and over original patent
 ** Reissue independent claims over original patent

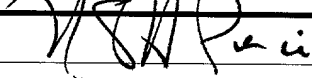
1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☐ A check is enclosed for \$[]. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

| | | | |
|---------------------------------------|---|-------------|---------|
| Signature |  | Date | 7/20/01 |
| Submitted by Typed or Printed Name | N. Scott Pierce | Reg. Number | 34,900 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Matthew Zavracky, Wen-Foo Chern, Ronald Gale, Peter A. Ronzani
and Stephen Pombo

Continuation of Application No. 08/855,344, filed May 13, 1997

For: WIRELESS COMMUNICATION DEVICE HAVING A COLOR
SEQUENTIAL DISPLAY

Date: July 20, 2001

EXPRESS MAIL LABEL NO. EL 76 22 33 888 US

REMARKS

Box Patent Applications
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the instant application as follows:

In the Specification

Replace the Related Applications paragraph with the following:

-- This is a continuation of U.S. Application No. 08/855,344, filed May 13, 1997, which is continuation of U.S. Application No. 08/410,124, filed March 23, 1995, which issued as U.S. Patent No. 5,673,059 on September 30, 1997, which is a continuation-in-part of U.S. Application No. 08/216,817, filed March 23, 1994, which issued as U.S. Patent No. 5,642,129 on June 24, 1997. --

FILING FEE

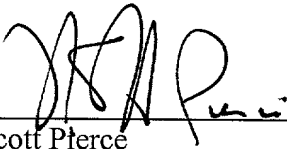
Transmitted concurrently herewith is a Fee Transmittal for Patent Applications, calculating the filing fees for the instant application at \$1,258.00. Box 2. of this Fee Transmittal has been checked, granting a general authorization to charge any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. However, Applicants respectfully request that the funds paid to cover the filing of the second CPA in the parent application (Application No. 08/855,344) on April 25, 2001 be applied to the filing fee for the instant application. Please charge any additional fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (781) 861-6240.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
N. Scott Pierce
Registration No. 34,900
Telephone (781) 861-6240
Facsimile (781) 861-9540

Lexington, Massachusetts 02421-4799

Dated:

7/20/01

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